[AT] Bundesliga Matches Back On ORF

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Robert Rittler
Gassauer-Fleissner Attorneys at Law, Vienna

In 2004, pay-TV broadcaster Premiere acquired the exclusive rights to broadcast matches in the Austrian football Bundesliga. The only private TV channel that broadcasts terrestrially throughout Austria, ATV+, bought from Premiere the secondary exploitation rights which enabled it to broadcast highlights after 10 pm on match days.

Österreichischer Rundfunk (Austrian Broadcasting Corporation - ORF) subsequently obtained from the *Bundeskommunikationssenat* (Federal Communications Office - *BKS*) the right to broadcast short reports on all Bundesliga matches in accordance with the *Fernseh-Exklusivrechtegesetz* (Exclusive Television Rights Act) (see IRIS 2005-1: 7). The *Verwaltungsgerichtshof* (Administrative Court) confirmed the basic provisions of this decision, but overturned it on the grounds that it misinterpreted the right to short reporting (see IRIS 2006-3: 10). The BKS subsequently issued a revised judgement, under which ORF was permitted to broadcast a 90-second report on each Bundesliga match (see IRIS 2006-4: 7).

In autumn 2006, ATV+ argued with Premiere about the amount it had to pay for its broadcasting rights. ATV+ claimed that its rights had been devalued by the short reporting of ORF and wanted to reduce its payments. Premiere threatened to stop providing ATV+ with the TV signal. Both parties went to the courts.

At the beginning of November, Premiere, ATV+ and ORF reached an agreement: Premiere and ATV+ cancelled their contract concerning Bundesliga rights; ATV+ may now show short reports on Sunday evenings. ORF may now broadcast a detailed summary of the matches immediately after the final whistle and show the top match of the round live. Highlights of Wednesday matches will be shown after 10 pm.

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